IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE SIXTEENTH DAY OF MARCH,TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: N.V. RAMANA

W.P. No.4864 of 2004

Between:

1.M/s. Satavahana Educational Society,
Kandulapuram P.O. Cumbum Mandal, Prakasam District,
Rep. by its President N. Eshwar Reddy.
2.N.Eswar Reddy S/o Sri Ella Reddy,
Correspondent, S.K.R. High School of M/s. Satavahana Educational Society
& R/o Nehru Nagar, Cumbum, Prakasam District.

Petitioners

AND

1.The Regional Provident Fund Commissioner, Guntur, Guntur District.
2.The Assistant Provident Fund Commissioner, Guntur, Guntur District.
3.Recovery Officer and Regional Provident Fund Commissioner,
Sub-Regional Officer, Guntur.
4.The Enforcement Officer, Provident Fund Office, Ongole,
Prakasam District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in issuing the impugned order including the Show Cause Notice in No.AP/33652/SRO/GNT/Recovery Cell/C.III/2004/149, dated 19-01-2004 issued by the 3rd respondent i.e. the Recovery Officer & Regional P.F. Commissioner, Sub-Regional Office, Guntur and the consequential action seeking to arrest the second petitioner herein as illegal, void and without notice, arbitrary and consequentially to direct the respondents first to determine the applicability of the Act to the petitioners and the institution run by them (S.K.R. High School, Kandulapuram P.O., Cumbum Mandal, Prakasam District) to refrain from taking any action against the petitioners till proper determination is made U/s.7A of the Act afresh.

The petition coming on for hearing, as to admission, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Mr.M. Sudheer Kumar, Advocate for the Petitioner and of Mr. R.N.Reddy, S.C. for A.P. Provident Fund for the respondents.

THE COURT MADE THE FOLLOWING ORDER:

"On request of learned Standing Counsel for respondent. Post on 17-3-04.

There shall be stay of arrest till tomorrow i.e.17-3-04."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1.The Regional Provident Fund Commissioner, Guntur, Guntur District.
2.The Assistant Provident Fund Commissioner, Guntur, Guntur District.
3.The Recovery Officer and Regional Provident Fund Commissioner,
Sub-Regional Officer, Guntur.
4.The Enforcement Officer, Provident Fund Office, Ongole, Prakasam District.
5.One spare copy.

H.A.

DRAFTED BY : H.A.
COMPARED BY :

HIGH COURT

NVRJ

NOTE : POST ON 17-3-04

DT: 16-03-2003

ORDER :

W.P.NO.4864/04

STAY OF ARREST
TIIL 17-3-04